

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

<b>STEVEN D. MURRAY,</b>	:	
<b>Plaintiff</b>	:	
v.	:	<b>C.A. No. 23-cv-</b>
	:	
<b>COMMUNITY COLLEGE OF</b>	:	<b>Jury trial demanded</b>
<b>RHODE ISLAND, alias, COUNCIL ON</b>	:	
<b>POST SECONDARY EDUCATION, alias,;</b>	:	
<b>and ROSEMARY COSTIGAN, alias,</b>	:	
<b>in her individual and official capacities,</b>	:	
<b>Defendants</b>	:	

**PLAINTIFF’S MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTIVE RELIEF**

Plaintiff hereby moves, pursuant to Fed. R. Civ. P. 65, for a temporary restraining order and preliminary injunction to restrain and enjoin Defendants from continuing to violate Plaintiff’s First, Fifth, and Fourteenth Amendment rights through their imposition of banishment from all CCRI campuses and facilities, limitations on his communications with the CCRI community, a bar on Plaintiff teaching classes, and limitations on Plaintiff exercising his administrative and governance duties.

These restrictions on speech and association, as well as retaliation based on speech and association, are violations of the Plaintiff’s First Amendment rights, and their summary imposition without a hearing for over eight (8) months is a violation of Plaintiff’s Due Process rights secured by the Fifth Amendment. As further grounds therefore and in support thereof, Plaintiff relies on his Verified Complaint, Record Appendix in Support of Plaintiff’s Motion for Temporary Restraining Order and Preliminary Injunctive Relief, and his Memorandum of Law in Support of the within motion all filed simultaneously herewith. Plaintiff requests an emergency hearing on his motion.

**WHEREFORE,** Plaintiff respectfully moves this Court to grant his within motion and enter a temporary restraining order and/or preliminary injunction against the Defendants, and their officers, agents, servants, employees, attorneys, and all those in active concert or participation with them (hereinafter collectively referred to as “Defendants”), restoring the status quo ante by restraining the Defendants from imposing or continuing to impose the status of administrative leave on Plaintiff and ordering Defendants to:

1. Restore Plaintiff’s access to his CCRI email account;
2. Restore Plaintiff’s access to the CCRIFA listserv;
3. Restore Plaintiff’s access to his faculty office;
4. Restore Plaintiff’s access to all campuses and facilities of Defendants;
5. Remove any restrictions on Plaintiff’s communications with the CCRI community, including faculty, students, staff, administrators, and any other employees of the college;
6. Remove any restrictions on Plaintiff performing his CCRI and CCRIFA administrative and governance duties, including those as chair of the Criminal Justice and Legal Studies Department, Vice President of Community College of Rhode Island Faculty Association (“CCRIFA”), Curriculum Review Committee, Stipend and Release Time Committee, CCRIFA CBA Negotiation Committee, proposed CCRIFA representative on the Faculty Senate, alternate to the CCRIFA Executive Committee, and any other committees or bodies to which he may be appointed or elected;

7. Restore Plaintiff's teaching position and assignment of customary number of courses and eligibility to teach overload courses as soon as practicable but no later than the 2024 Spring Semester; and,
8. Until such time as Plaintiff's teaching assignments are fully restored as provided in the previous paragraph, pay Plaintiff's full salary, as well as wages for all overload courses he would have been eligible to teach, and provide him with the same benefits and fringes he received prior to being placed on administrative leave or as may be increased by any subsequently approved and implemented CBA.

**Plaintiffs,**  
By his attorneys,

**Date: November 9, 2023**

/s/ Richard A. Sinapi  
**Richard A. Sinapi, Esq. (#2977)**  
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